

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

DANCO, INC.,

Plaintiff,

v.

Civil Action No.: 5:16-CV-00048-CMC

LAVELLE INDUSTRIES, INC.,

Defendant.

JOINT STIPULATION OF DISMISSAL

Plaintiff Danco, Inc. (“Danco”) and Defendant Lavelle Industries, Inc. (“Lavelle”), by and through their undersigned counsel, hereby file this Joint Stipulation of Dismissal. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and consistent with the parties’ Settlement Agreement executed June 20, 2017, the parties hereby stipulate and agree that:

- (1) Dismissal shall be with prejudice as to Danco's claim for infringement of the '455 Patent in relation to the Accused Product as made and sold prior to the date of dismissal and through December 31, 2017;
- (2) Dismissal shall be without prejudice as to Lavelle's counterclaims of invalidity and unenforceability; and
- (3) each Party shall bear its own fees and costs.

SO STIPULATED and respectfully submitted this 23rd day of June, 2017.

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